

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20561 of 2017

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Ramesh Mukhiya, Son of Jhabru Mukhiya, Resident of Village- Ojhaul
(Gopalakha), P.S.- Bhairavsthan, District- Madhuabani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 03-05-2017 Cr.Misc.No.53272 of 2016 was dismissed for default
on 10.04.2017 as no one had appeared on behalf of the petitioner.

The present application is for setting aside the
dismissal and restoration of Cr.Misc.No.53272 of 2016.

Heard learned counsel for the parties.

The main ground for restoration is that the learned
counsel was not present at Patna because he had gone to his native
village for attending the Sharadh ceremony of his uncle. Hence, he
could not attend the case.

Considering the facts and circumstances, the
dismissal is set aside and Cr.Misc.No. 53272 of 2016 is restored to
its original file subject to the condition that the petitioner shall
deposit cost of Rs.500/- in the Victim Compensation Fund.

Arvind/-

(Birendra Kumar, J)

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